

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

HANS MOKE NIEMANN,

Plaintiff,

v.

SVEN MAGNUS ØEN CARLSEN A/K/A  
MAGNUS CARLSEN, PLAY MAGNUS AS  
D/B/A PLAY MAGNUS GROUP, CHESS.COM,  
LLC, DANIEL RENSCH A/K/A “RENSCH”  
RENSCH, AND HIKARU NAKAMURA,

Defendants.

Case No. 4:22-cv-01110-AGF

Hon. Audrey G. Fleissig

**DEFENDANT PLAY MAGNUS AS D/B/A PLAY MAGNUS GROUP’S  
MOTION TO DISMISS PLAINTIFF’S SECOND AMENDED COMPLAINT**

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*Counsel for Defendant Play Magnus AS d/b/a Play Magnus Group*

COMES NOW Defendant Play Magnus AS d/b/a Play Magnus Group (“Play Magnus”), by and through its undersigned attorneys, and moves this Court pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6) and Connecticut’s anti-Strategic Lawsuits Against Public Participation (“anti-SLAPP”) statute, Conn. Gen. Stat. § 52-196a, to dismiss the Second Amended Complaint (“SAC”) (ECF No. 75) of Plaintiff Hans Niemann. As more fully set forth in the accompanying Memorandum of Law in Support:

1. The SAC fails to allege facts sufficient to establish this Court’s personal jurisdiction over Play Magnus under the federal Due Process Clause and the Missouri long-arm statute. Therefore, the Court should dismiss Play Magnus for lack of personal jurisdiction.

2. Niemann’s federal antitrust claims under Sections 1 and 2 of the Sherman Act (Counts III and IV) suffer from multiple incurable defects and should be dismissed. Both claims fail for the reasons set forth in Defendant Chess.com LLC’s motion to dismiss and accompanying briefing, which arguments Play Magnus joins in and incorporates by reference herein.

3. Niemann’s state law claims alleging slander (Count I), libel (Count II), tortious interference (Count V), and civil conspiracy (Count VI) also fail as a matter of law and should be dismissed. All of these state law claims are barred, as a matter of law, by Connecticut’s anti-SLAPP statute, as set forth in Defendant Magnus Carlsen’s motion to dismiss and accompanying briefing, which arguments Play Magnus joins in and incorporates by reference herein. Moreover, with respect to the defamation (slander and libel) claims, the SAC fails to allege how any of Play Magnus’s statements were actionable; and even so, the SAC does not allege that Play Magnus acted with actual malice. And as for the tortious interference and civil conspiracy claims, both are derivative of the other claims in the SAC and fail for the same reasons the other claims fail. Independently, the tortious interference claim should be dismissed because the SAC fails to allege

that Play Magnus had the requisite knowledge of the relationships with which it allegedly interfered, fails to demonstrate any “improper means,” and fails to explain how Play Magnus’s actions caused any breakdown in these relationships.

**Wherefore**, Play Magnus respectfully requests that this Court grant this motion, dismiss the claims against it, and grant any further and necessary relief. The motion is based upon this motion, the accompanying Memorandum of Law in Support of the motion, the other Defendants’ motions to dismiss and accompanying briefing in which Play Magnus joins and incorporates by reference herein, and all pleadings in this action, as well as any other writing and oral argument the Court may entertain.

DATED: April 11, 2023

Respectfully submitted,

/s/ Nima H. Mohebbi

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*Counsel for Defendant Play Magnus AS d/b/a Play Magnus Group*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on April 11, 2023, the foregoing document was served on all counsel of record by ECF.

DATED: April 11, 2023

/s/ Nima H. Mohebbi

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